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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

6 UNITED STATES DISTRICT COURT
 7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,	)	No. 3:12-cr-00081-LRH-VPC
9 Plaintiff,	)	INDICTMENT FOR VIOLATIONS OF:
10 v.	)	TITLE 18, UNITED STATES CODE,
11 ANTONIO SERVIDIO,	)	SECTION 1344 - Bank Fraud
12 Defendant.	)	(Counts One and Two)
13	)	TITLE 31, UNITED STATES CODE,
14	)	SECTION 5324 - Structuring of
15	)	Monetary Instruments
16	)	(Counts Three and Four)
17	)	TITLE 18, UNITED STATES CODE,
18	)	SECTION 2 - Aiding and
19	)	Abetting (Counts One to Four)

17 The Grand Jury charges:

18 At all times relevant to this Indictment:

19 Background

20 1. Defendant ANTONIO SERVIDIO ("SERVIDIO") is an individual
 21 residing in Reno, Nevada, who, at times relevant to this Indictment,
 22 was a 50% equity investor in, and member of, XYZ REAL ESTATE LLC, a
 23 limited liability company organized in the State of Nevada.

24 The Scheme to Defraud

25 2. Between 2004 and 2008, SERVIDIO obtained approximately 35
 26 rental properties in Reno, Nevada, each purchase of which was
 27 financed through mortgages obtained from various financial
 28 institutions, as that term is defined in 18 U.S.C. § 20.

3. Two of the rental properties upon which SERVIDIO had

1 mortgages were 4600 Neil Road, Apt. 38, Reno, Nevada ("4600 Neil
2 Road") and 4608 Neil Road, Apt. 271, Reno, Nevada ("4608 Neil Road").

3 4. On March 21, 2006, SERVIDIO obtained a loan in the amount of
4 \$77,350 from Wachovia Mortgage FSB, f/k/a World Savings Bank FSB,
5 secured by the property at 4600 Neil Road. In this loan application,
6 Wachovia Mortgage FSB f/k/a World Savings Bank FSB relied upon in its
7 issuance of the loan, SERVIDIO concealed several of the mortgaged
8 properties he had at the time.

9 5. On March 21, 2006, SERVIDIO obtained a loan in the amount
10 of \$77,350 from Wachovia Mortgage FSB, f/k/a World Savings Bank FSB,
11 secured by the property at 4608 Neil Road. In this loan application,
12 Wachovia Mortgage FSB f/k/a World Savings Bank FSB relied upon in its
13 issuance of the loan, SERVIDIO concealed several of the mortgaged
14 properties he had at the time.

15 6. From 2006 to 2009, SERVIDIO received rental income from
16 tenants in his rental properties, including tenants in 4600 Neil Road
17 and 4608 Neil Road. Beginning in 2008, and up until 2009, SERVIDIO
18 defaulted on several mortgages on his 35 rental properties in Reno,
19 Nevada, including the mortgages for each of the properties at 4600
20 Neil Road and 4608 Neil Road.

21 7. On or about May 21, 2009, in the foreclosure process of 4608
22 Neil Road for SERVIDIO's default in payments on the \$77,350 loan
23 issued by Wachovia Mortgage, FSB, f/k/a World Savings Bank, FSB, the
24 property at 4608 Neil Road was sold at public auction, and purchased
25 by Wachovia Mortgage, FSB, f/k/a World Savings Bank, FSB for \$38,000.

26 8. On or about June 25, 2009, as part of the foreclosure
27 process of 4600 Neil Road for SERVIDIO's default on the \$77,350 loan
28 issued by Wachovia Mortgage, FSB, f/k/a World Savings Bank, FSB, the

1 property at 4600 Neil Road was sold at public auction, and purchased
2 for \$35,000 by Wachovia Mortgage, FSB, f/k/a World Savings Bank, FSB.

3 9. On or about July 29, 2009, XYZ REAL ESTATE LLC ("XYZ")
4 was organized in the State of Nevada. According to XYZ's Operating
5 Agreement dated July 31, 2009, SERVIDIO is a Member, with 50%
6 interest in XYZ, having contributed \$155,000 in capital to XYZ, and
7 is responsible for 50% of all future capital contributions to XYZ.

8 10. On or about July 31, 2009, XYZ purchased the property at
9 4600 Neil Road from Wachovia Mortgage, FSB, f/k/a World Savings Bank,
10 FSB, for \$40,000. SERVIDIO's relationship with XYZ was concealed to
11 Wachovia Mortgage, FSB, f/k/a World Savings Bank, FSB, in XYZ's
12 purchase of 4600 Neil Road.

13 11. On or about July 31, 2009, XYZ, a Nevada corporation in
14 which defendant SERVIDIO was a Member and a 50% equity inventor and
15 contributor, purchased the property at 4608 Neil Road from Wachovia
16 Mortgage, FSB, f/k/a World Savings Bank, FSB, for \$40,000.
17 SERVIDIO's relationship with XYZ was concealed to Wachovia Mortgage,
18 FSB, f/k/a World Savings Bank, FSB, in XYZ's purchase of 4608 Neil
19 Road

20 12. In the course of XYZ's purchase of 4600 Neil Road on or
21 about July 31, 2009, SERVIDIO made materially false and fraudulent
22 pretenses, representations, promises, and omissions, when he
23 concealed, and aided and abetted in concealing, his interest in XYZ
24 from Wachovia Mortgage, FSB, f/k/a World Savings Bank, FSB.

25 13. In the course of XYZ's purchase of 4608 Neil Road on or
26 about July 31, 2009, SERVIDIO made materially false and fraudulent
27 pretenses, representations, promises, and omissions, when he
28 concealed, and aided and abetted in concealing, his interest in XYZ

1 from Wachovia Mortgage, FSB, f/k/a World Savings Bank, FSB.

2 14. On or about July 31, 2012, XYZ purchased the property at
3 4600 Neil Road from Wachovia Mortgage, FSB, f/k/a World Savings
4 Bank, FSB, for \$40,000, when SERVIDIO has an outstanding principal
5 balance of approximately \$81,695.33 on the loan from Wachovia
6 Mortgage, FSB, f/k/a World Savings Bank, FSB, secured by the property
7 at 4600 Neil Road.

8 15. XYZ purchased the property at 4608 Neil Road from Wachovia
9 Mortgage, FSB, f/k/a World Savings Bank, FSB, for \$40,000, when
10 SERVIDIO has an outstanding principal balance of approximately
11 \$81,884.00 on the loan from Wachovia Mortgage, FSB, f/k/a World
12 Savings Bank, FSB, secured by the property at 4608 Neil Road.

13 COUNTS ONE & TWO

14 [18 U.S.C. § 1344 - Bank Fraud]

15 16. From approximately March 21, 2006, to on or about July 31,
16 2009 in the State and Federal District of Nevada, and elsewhere,

17 **ANTONIO SERVIDIO,**

18 defendant herein, knowingly devised and intended to devise a scheme
19 and artifice to defraud Wachovia Mortgage FSB, f/k/a World Savings
20 Bank FSB, a financial institution as defined in 18 U.S.C. § 20, as to
21 a material matter and to obtain property owned by Wachovia Mortgage
22 FSB, f/k/a World Savings Bank FSB, by means of materially false and
23 fraudulent pretenses, representations, and promises, knowing at the
24 time that the pretenses, representations, and promises were false and
25 fraudulent when made, all in violation of Title 18, United States
26 Code, Section 1344.

27 17. The Grand Jury repeats and realleges paragraphs 1-15, as if
28 fully set forth herein.

18. For the purpose of executing the scheme to defraud, defendant ANTONIO SERVIDIO, by means of materially false and fraudulent pretenses, representations, and promises, knowingly caused Wachovia Mortgage FSB, f/k/a World Savings Bank FSB, to part with money and property as set forth below, with each count in violation of Title 18, United States Code, Sections 1344; and Title 18, United States Code, Section 2.

Count	Approximate Date and Amount of Defendant's Loan from World Savings Bank	Property Securing Loan	XYZ's Purchase of Property from World Savings Bank
1	March 21, 2006 \$77,350	4600 Neil Road, Apt. 38, Reno, NV	July 31, 2009 \$40,000
2	March 21, 2006 \$77,350	4608 Neil Road, Apt. 271, Reno, NV	July 31, 2009 \$40,000

COUNT THREE

[31 U.S.C. § 5324(a)(3) - Structuring]

19. For purposes of 31 U.S.C. § 5324(a)(3), a domestic "financial institution" is defined in 31 U.S.C. 5312(a)(2) and includes issuers, redeemers, and cashiers of money orders and similar instruments, as provided in 31 U.S.C. § 5312(a)(2)(K), and the United States Postal Service, as provided in 31 U.S.C. 5312(a)(2)(V).

20. On or about July 29, 2009, and continuing until on or about July 31, 2009, in the State and District of Nevada,

ANTONIO SERVIDIO,

defendant herein, did knowingly and for the purpose of evading the reporting requirements of section 5325 of Title 31, United States Code, and the regulations promulgated thereunder, did structure and aid and abet in structuring, the following transactions with domestic financial institutions, and did so as part of a pattern of illegal

1 activity involving more than \$100,000 in a 12-month period; to wit:
2 by purchasing, and aiding and abetting in the purchase of,
3 approximately 107 money orders and cashier checks with an approximate
4 aggregate value of \$107,910, in transaction amounts less than \$3000,
5 all of which were deposited into XYZ's bank accounts in Reno, Nevada,
6 in violation of Title 31, United States Code, Sections 5324(a)(3);
7 Title 31, Code of Federal Regulations, Section 103.11; and Title 18,
8 United States Code, Section 2.

9 COUNT FOUR

10 [31 U.S.C. § 5324(a)(3) - Structuring]

11 21. The Grand Jury repeats and realleges paragraph 19 as set
12 forth herein.

13 22. On or about August 9, 2009, and continuing until on or about
14 August 14, 2009, in the State and District of Nevada,

15 **ANTONIO SERVIDIO,**

16 defendant herein, did knowingly and for the purpose of evading the
17 reporting requirements of section 5325 of Title 31, United States
18 Code, and the regulations promulgated thereunder, did structure and
19 aid and abet in structuring, the following transactions with domestic
20 financial institutions, and did so as part of a pattern of illegal
21 activity involving more than \$100,000 in a 12-month period; to wit:
22 by purchasing, and aiding and abetting in the purchase of,
23 approximately 446 money orders with an approximate aggregate value of
24 \$290,495, in transaction amounts less than \$3000, all of which were
25 deposited into XYZ's bank accounts in Reno, Nevada, in violation of
26 Title 31, United States Code, Sections 5324(a)(3); Title 31, Code of
27 Federal Regulations, Section 103.11; and Title 18, United States
28 Code, Section 2.

FORFEITURE ALLEGATION

[18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c),
and 31 U.S.C. 5317(c)(1) - Forfeiture]

23. The allegations of Counts One through Four of this Indictment are realleged and incorporated as if fully set forth herein.

24. Upon a conviction of any of the offenses alleged in Counts One and Two above, ANTONIO SERVIDIO, defendant herein, shall forfeit to the United States any property which constitutes or is derived from proceeds traceable to such offense(s), including to but not limited to the sum of \$163,579.33, which is sought as a personal money judgment against defendant ANTONIO SERVIDIO, pursuant to 18 U.S.C. § 982(a)(2), 18 U.S.C. § 981(1)(C), 28 U.S.C. § 2461(c).

25. Upon a conviction of any of the offenses alleged in Count Three and Four above, ANTONIO SERVIDIO, defendant herein, shall forfeit to the United States all property involved in the offense(s), and any property traceable thereto, including but not limited to the sum of \$398,405, which is sought as a personal money judgment against defendant ANTONIO SERVIDIO, pursuant to 31 U.S.C. § 5317(c)(1).

26. If, as a result of any act or omission of the defendants, any of said property

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to or deposited with, a third person;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which,

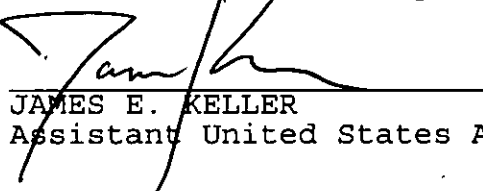
1 without difficulty, cannot be subdivided;
2 any and all interest defendant(s) has/have in any other property (not
3 to exceed the value of the above forfeitable property) shall be
4 forfeited to the United States, pursuant to Title 21, United States
5 Code, Sections 853(p), as incorporated by Title 18, United
6 States Code, Section 982(b)(1), Title 28, United States Code, Section
7 2461(c), and Title 31, United States Code, Section 5317(c)(1)(B).

8 DATED: this 29 day of August, 2012.

9 A TRUE BILL:

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11 FOREPERSON OF THE GRAND JURY

12 DANIEL G. BOGDEN
13 United States Attorney

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15 JAMES E. KELLER
16 Assistant United States Attorney
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